

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

UNITED RESOURCE RECOVERY)
CORPORATION,)
)
Plaintiff,)
)
vs.)
)
RAMKO VENTURE MANAGEMENT,)
INC.and JOHN KOHUT,)
)
)
Defendants.)
_____)

Case Number: 7:07-502-HFF

**DEFENDANTS' RESPONSES TO
LOCAL RULE 26.01 INTERROGATORIES**

RAMKO VENTURE MANAGEMENT,)
INC.,)
)
Third-Party Plaintiff,)
)
vs.)
)
)
)
CARLOS GUTIERREZ,)
)
Third-Party Defendant.)
_____)

Defendants, Ramko Venture Management, Inc. and John Kohut, by and through its undersigned attorney, submit the following responses to the Court's Local Rule 26.01 Interrogatories:

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of said interest.

RESPONSE: Not Applicable.

(B) As to each claim, state whether it should be tried jury or non-jury and why.

RESPONSE: The Counterclaim and the Third-Party Complaint should be tried by a jury because they involve questions of fact that should be determined by a jury.

(C) State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

RESPONSE: Not Applicable.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division). See Local Civil Rule 3.01.

RESPONSE: Please see Defendants' Motion to Transfer, pursuant to 28 U.S.C. § 1404(a), filed simultaneously with these responses, as a response to this Interrogatory.

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which may be related regardless of whether they are still pending. Whether cases are related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.¹⁴

RESPONSE: Not Applicable.

(F) [Defendants only.] If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

RESPONSE: Not Applicable

(G) [Defendants only]. If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

RESPONSE: Defendant, RamKo believes that Carlos Gutierrez is responsible to it for damages. Please see the allegations of the Third-Party Complaint for the specific allegations against Carlos Gutierrez.

Respectfully submitted,

BY: s/ Julianne Farnsworth
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ATTORNEY FOR THE DEFENDANTS

April 4, 2007
Charleston, South Carolina